

including the value of in-kind contributions, to fund the activity. Sec.

**(c) Priority**

In considering grant applications under this section, the Administrator shall give priority to applicants that demonstrate ability in—

- (1) plans for service and agency coordination and collaboration including the colocation of services;
- (2) innovative ways to involve the private nonprofit and business sector in delinquency prevention activities; and
- (3) developing or enhancing a statewide subsidy program to local governments that is dedicated to early intervention and delinquency prevention.

(Pub. L. 93-415, title V, §505, as added Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5028; amended Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(F)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-76.)

**AMENDMENTS**

1998—Subsec. (a). Pub. L. 105-277 substituted “units of local government” for “units of general local government” in introductory provisions.

**§ 5785. Authorization of appropriations**

To carry out this subchapter, there are authorized to be appropriated \$30,000,000 for fiscal year 1993 and such sums as are necessary for fiscal years 1994, 1995, and 1996.

(Pub. L. 93-415, title V, §506, as added Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5029.)

**CHAPTER 73—DEVELOPMENT OF ENERGY SOURCES**

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5801. Congressional declaration of policy and purpose.
- (a) Development and utilization of energy sources.
  - (b) Necessity of establishing Energy Research and Development Administration.
  - (c) Separation of licensing and regulatory functions of Atomic Energy Commission.
  - (d) Small business participation.
  - (e) Priorities.

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5811. Establishment of Energy Research and Development Administration.
5812. Officers of Administration.
- (a) Administrator; appointment.
  - (b) Deputy Administrator.
  - (c) Qualifications of Administrator and Deputy Administrator.
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  - (e) General Counsel.
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  - (i) Order of succession.
5813. Responsibilities of Administrator.
5814. Abolition and transfers.
- (a) Abolition of Atomic Energy Commission.

- (b) Transfer or lapse of functions of Atomic Energy Commission.
- (c) Functions of Atomic Energy Commission transferred to Administrator.
- (d) Transfer of General Advisory Committee, Patent Compensation Board, and Divisions of Military Application and Naval Reactors to Administration.
- (e) Transfer to Administrator of certain functions of Secretary of the Interior and Department of the Interior; study of potential energy application of helium; report to President and Congress.
- (f) Transfer to Administrator of certain functions of National Science Foundation.
- (g) Transfer to Administrator of certain functions of Environmental Protection Agency.
- (h) Exercise of authority necessary or appropriate to perform transferred functions and carry out transferred programs.
- (i) Utilization of technical and management capabilities of other executive agencies; assignment of specific programs or projects in energy research and development.

5815.

Administrative provisions.

- (a) Rules and regulations.
- (b) Policy planning and evaluation.
- (c) Delegation of functions.
- (d) Organization.
- (e) Field offices.
- (f) Seal.
- (g) Working capital fund.
- (h) Information from other agencies.

5816.

Personnel and services.

- (a) Appointment and compensation of officers and employees.
- (b) Employment of experts and consultants.
- (c) Participation of military personnel.
- (d) Status of military personnel unaffected.
- (e) Transportation and per diem expenses.
- (f) Personnel of other agencies.
- (g) Advisory boards.
- (h) Employment of noncitizens.

5816a.

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5817.

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- (a) Research and development.
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5817a.

Employee-suggested research projects; approval; funding; reports.

5818.

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5819.

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5820.

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5821.

Annual authorization Acts.

- (a) General requirements; applicability to appropriations.
- (b) Requirements and limitations respecting funds appropriated for operating expenses.
- (c) Additional requirements and limitations respecting funds appropriated for operating expenses.

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	(d) Requirements respecting amounts appropriated in annual appropriation Act for use in programs in excess of amount actually authorized for use in program not presented to, or requested of Congress; reduction in aggregate amount available for categories of coal, etc., from sums appropriated.	5848.	Abnormal occurrence reports.
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	(f) Transfer of licensing and regulatory functions of Atomic Energy Commission.		(e) Commencement of action.
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5842.	Licensing and related regulatory functions respecting selected Administration facilities.		(g) Deliberate violations.
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5845.	Office of Nuclear Regulatory Research.		(e) Fiscal year applicability.
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			Transfer of personnel.
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5874. Definitions.  
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5877. Reports to President for submission to Congress.  
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#### SUBCHAPTER IV—SEX DISCRIMINATION

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#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 5905, 7135a, 7259a, 10141, 10155 of this title; title 15 sections 2507, 2705; title 22 section 3203.

### § 5801. Congressional declaration of policy and purpose

#### (a) Development and utilization of energy sources

The Congress hereby declares that the general welfare and the common defense and security require effective action to develop, and increase the efficiency and reliability of use of, all energy sources to meet the needs of present and future generations, to increase the productivity of the national economy and strengthen its position in regard to international trade, to make the Nation self-sufficient in energy, to advance the goals of restoring, protecting, and enhancing environmental quality, and to assure public health and safety.

#### (b) Necessity of establishing Energy Research and Development Administration

The Congress finds that, to best achieve these objectives, improve Government operations, and assure the coordinated and effective development of all energy sources, it is necessary to establish an Energy Research and Development Administration to bring together and direct Federal activities relating to research and development on the various sources of energy, to increase the efficiency and reliability in the use of energy, and to carry out the performance of other functions, including but not limited to the Atomic Energy Commission's military and production activities and its general basic research activities. In establishing an Energy Research and Development Administration to achieve these objectives, the Congress intends that all possible sources of energy be developed consistent with warranted priorities.

#### (c) Separation of licensing and regulatory functions of Atomic Energy Commission

The Congress finds that it is in the public interest that the licensing and related regulatory functions of the Atomic Energy Commission be

separated from the performance of the other functions of the Commission, and that this separation be effected in an orderly manner, pursuant to this chapter, assuring adequacy of technical and other resources necessary for the performance of each.

#### (d) Small business participation

The Congress declares that it is in the public interest and the policy of Congress that small business concerns be given a reasonable opportunity to participate, insofar as is possible, fairly and equitably in grants, contracts, purchases, and other Federal activities relating to research, development, and demonstration of sources of energy efficiency, and utilization and conservation of energy. In carrying out this policy, to the extent practicable, the Administrator shall consult with the Administrator of the Small Business Administration.

#### (e) Priorities

Determination of priorities which are warranted should be based on such considerations as power-related values of an energy source, preservation of material resources, reduction of pollutants, export market potential (including reduction of imports), among others. On such a basis, energy sources warranting priority might include, but not be limited to, the various methods of utilizing solar energy.

(Pub. L. 93-438, § 2, Oct. 11, 1974, 88 Stat. 1233.)

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original "this Act", meaning Pub. L. 93-438, Oct. 11, 1974, 88 Stat. 1233, as amended, which enacted this chapter, amended sections 5313 to 5316 of Title 5, Government Organization and Employees, repealed sections 2031 and 2032 of this title, and enacted provisions set out as notes below. For complete classification of this Act to the Code, see Short Title note below and Tables.

#### EFFECTIVE DATE; INTERIM APPOINTMENTS

Section 312 of Pub. L. 93-438 provided that:

"(a) This Act [see Short Title note below] shall take effect one hundred and twenty days after the date of its enactment [Oct. 11, 1974], or on such earlier date as the President may prescribe and publish in the Federal Register [prescribed as Jan. 19, 1975, by Ex. Ord. No. 11834, formerly set out below] except that any of the officers provided for in title I of this Act [subchapter I of this chapter] may be nominated and appointed, as provided by this Act, at any time after the date of enactment of this Act. Funds available to any department or agency (or any official or component thereof), any functions of which are transferred to the Administrator and the Commission by this Act, may, with the approval of the President, be used to pay the compensation and expenses of any officer appointed pursuant to this subsection until such time as funds for that purpose are otherwise available.

"(b) In the event that any officer required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any officer, whose appointment was required to be made by and with the advice and consent of the Senate and who was such an officer immediately prior to the effective date of this Act, to act in such office until the office is filled as provided in this Act. While so acting, such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act."

#### SHORT TITLE

Section 1 of Pub. L. 93-438 provided that: "This Act [enacting this chapter, repealing sections 2031 and 2032